

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

James N. Tino, #145030,

Plaintiff,

vs.

Samuel B. Glover, Director of South
Carolina Probation, Parole and Pardon
Services, and South Carolina Parole
Board; Henry McMaster, Attorney
General of State of South Carolina;
and Thomas E. Pope, Solicitor for
the County of York, in their individual
capacities,

Defendants.

Civil Action No. 6:05-0872-DCN-WMC

REPORT OF MAGISTRATE JUDGE

The plaintiff, a state prisoner proceeding *pro se*, seeks relief pursuant to Title 42, United States Code, Section 1983.

Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1)(B), and Local Rule 73.02(B)(2)(d), D.S.C., this magistrate judge is authorized to review all pretrial matters in cases filed under Title 42, United States Code, Section 1983, and submit findings and recommendations to the District Court.

On April 25, 2005, defendant Henry McMaster filed a motion to dismiss. By order of this court filed April 27, 2005, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), the plaintiff was advised of the summary dismissal procedure and the possible consequences if he failed to adequately respond to the motion. On May 4, 2005, defendants Glover and Pope filed a motion to dismiss, and a second *Roseboro* order was entered on May 12, 2005.

On May 11, 2005, the plaintiff filed a motion to dismiss with prejudice, stating that he “and other named Defendants appeared in the Court of General Sessions for the County of York S.C. and the majority of the relief sought was granted”

Wherefore, based on the foregoing, it is recommended that the plaintiff's motion be granted and this case be dismissed with prejudice.

s/William M. Catoe
United States Magistrate Judge

May 24, 2005

Greenville, South Carolina